

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRIMINAL NO. 5:11-cr-00038

HUGHIE ELBERT STOVER,

Defendant.

**DEFENDANT'S REPLY TO RESPONSE OF THE UNITED STATES OF AMERICA TO
DEFENDANT'S MOTION TO CONTINUE TRIAL**

Now comes the Defendant, Hughie Elbert Stover, in reply to the Response of the United States to Defendant's Motion to Continue. While counsel appreciates the United States' gesture in not opposing the defendant's request for continuance, counsel represents that the six weeks' continuance suggested by the United States is not sufficient.

While the United States has been very forthcoming in its discovery responses, those responses still constitute well in excess of sixty thousand pages of material. And while "[t]he United States has already outlined in its discovery response that it does not intend to use certain documents in its case in chief at trial," and while counsel for the defendant would welcome the United States' "...guidance regarding the specific documents the United States plans to use at trial," defendants have a funny way of expecting their defense lawyers to read and digest everything the Government is required to provide, notwithstanding what the Government says it will use in its case in chief. Perhaps the defendant will use something the Government provides in **his** case in chief.

All that the defendant wants is a **reasonable** continuance of the trial date, and the six weeks suggested by the Government is neither reasonable nor sufficient to allow him and his counsel to be prepared for trial.

Respectfully submitted this 4th day of April, 2011.

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CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of April, 2011, I served the foregoing *Defendant's Reply to Response of the United States of America to Defendant's Motion to Continue Trial* upon all counsel of record, using the Court's CM/ECF filing system as follows:

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